

VZCZCXRO1293
OO RUEHCHI RUEHDT RUEHHM RUEHNH
DE RUEHPF #1181 1780742
ZNR UUUUU ZZH
O 270742Z JUN 06
FM AMEMBASSY PHNOM PENH
TO RUEHC/SECSTATE WASHDC IMMEDIATE 6924
INFO RUCNASE/ASEAN MEMBER COLLECTIVE
RUEHHM/AMCONSUL HO CHI MINH CITY 0045
RUEHGV/USMISSION GENEVA 1498

UNCLAS PHNOM PENH 001181

SIPDIS

SENSITIVE
SIPDIS

DEPARTMENT FOR PRM AND EAP/MLS
BANGKOK ALSO FOR REFUGEE COORDINATOR HONNOLD
GENEVA FOR RMA

E.O. 12958: N/A
TAGS: [PREF](#) [PREL](#) [PHUM](#) [CB](#) [VM](#)
SUBJECT: SCREENED-OUT MONTAGNARD DEPORTED TO VIETNAM

REF: PHNOM PENH 1006

¶1. (U) Cambodian Immigration police removed a screened-out Montagnard, Y Ngoan Nie, from UNHCR's Site 2 in Phnom Penh on June 27 and escorted him to the border for deportation to Vietnam. Y Ngoan Nie was one of the 31 persons denied refugee status that the embassy referred to the Department as humanitarian cases on May 6 (reftel).

¶2. (U) Y Ngoan Nie's case was unusual in that he entered Cambodia with a Vietnamese passport and obtained a valid visa at the Thai-Cambodian border. He had apparently been hired in Vietnam and worked in Malaysia as a contract laborer from January 11, 2004 to December 11, 2005. He entered Cambodia from Thailand on December 12, 2005 at Aranyaprathet/Poipet. From Poipet he traveled directly to Phnom Penh to seek asylum with UNHCR. UNHCR subsequently determined that he did not qualify as a refugee.

¶3. (SBU) We contacted Cambodian Immigration chief General Sophana Meach late on the afternoon of June 26 after UNHCR informed us of the impending deportation in order to inform Sophana that Y Ngoan Nie was under consideration for resettlement in the U.S. and to ask that the Cambodian government (RGC) postpone a decision until the U.S. had completed its review. Sophana responded with some frustration that Y Ngoan Nie had no status as a refugee and had overstayed his visa. Under these circumstances, the RGC had the sovereign right to return him to Vietnam. UNHCR subsequently told us that Cambodian Immigration said Y Ngoan Nie had the option of paying \$5.00 per day for his overstay of almost six months or accept deportation. He reportedly did not have the funds to pay the fine for overstaying his visa. We also telephoned Sophana Meach the morning of June 27 when we learned the RGC was going ahead with the deportation, but Sophana refused to reconsider the decision.

¶4. (SBU) UNHCR official Eldon Hager speculated to us that the RGC decision to deport Y Ngoan Nie was a reaction to the decision by 13 screened-out Montagnards to cancel their plans to voluntarily return to Vietnam after they discovered that they were on the list of persons under review by the U.S. for resettlement. We have no way of knowing whether this is true. General Sophana did not mention this factor in our discussion with him. However, UNHCR told also us that it believed that the deportation of Y Ngoan Nie was related to his special circumstance in having a valid passport and overstaying his visa. UNHCR said there has been no/no indication that the RGC plans deportation of other screened-out Montagnards.
MUSSOMELI